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AUG 29 2005

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

*Attorney for Century Insurance Company Ltd.  
and Hongkong Entertainment (Overseas) Investment Ltd.*

**IN THE DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS**

**ELENITA S. SANTOS and  
ANGEL SANTOS**

**Plaintiff,**

**vs.**

**HONGKONG ENTERTAINMENT  
(OVERSEAS) INVESTMENT LTD .dba,  
TINIAN DYNASTY HOTEL & CASINO and  
CENTURY INSURANCE CO., LTD.**

**Defendants.**

**Civil Action No. 04-0030**

**DEFENDANTS ANSWER  
TO PLAINTIFFS' SECOND  
AMENDED COMPLAINT**

**COMES NOW**, Defendants Hongkong Entertainment (Overseas) Investment Ltd and Century Insurance Co., Ltd. through their attorney of record to answer the Complaint as follows.

1. Answering Defendants admit each and every allegation contained in paragraph number 1 of the Complaint.

2. Answering Defendants admit each and every allegation contained in paragraph number 2 of the Complaint.

3. Answering Defendants lack sufficient information to form a belief as to the truth of paragraph 3 of Plaintiff's Complaint and placing its denial on the ground, denies the allegations and each of them and requires strict proof thereof.

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2 4. Answering Defendants lack sufficient information to form a belief as to the truth of  
3 paragraph 4 of Plaintiff's Complaint and placing its denial on that ground, denies the allegations  
4 and each of them and requires strict proof thereof.

5 5. Answering Defendants lack sufficient information to form a belief as to the truth of  
6 paragraph 5 of Plaintiff's Complaint and placing its denial on that ground, denies the allegations  
7 and each of them and requires strict proof thereof.

8 6. Answering Defendants admit each and every allegation or statement contained in  
9 paragraph 6 of the Complaint.

10 7. Answering Defendants admit each and every allegation or statement contained in  
11 paragraph 7 of the Complaint.

12 8. Answering Defendants admit each and every allegation contained in paragraph  
13 number 8 of the Complaint.

14 9. Answering Defendants admit each and every allegation contained in paragraph  
15 number 9 of the Complaint.

16 10. In answering paragraph 10, Answering Defendants, admit that on or about January  
17 30, 2004, Mrs. Santos was a guest at the Tinian Dynasty. Except as expressly admitted, Answering  
18 Defendants deny each and every allegation and statement contained in the paragraph 10.

19 11. In answering paragraph 10, Answering Defendants, admit that Mrs. Santos was  
20 descending the stair. Except as expressly admitted, Answering Defendants deny each and every  
21 allegation and statement contained in the paragraph 11.

22 12. Answering Defendants deny each and every allegation or statement contained in  
23 paragraph 12 of the Complaint.

24 13. Answering Defendants admit each and every allegation contained in paragraph  
25 number 13 of the Complaint.

26 14. Answering Defendants admit each and every allegation contained in paragraph  
27 number 14 of the Complaint.  
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1           15.     Answering Defendants admit each and every allegation contained in paragraph  
2 number 15 of the Complaint.

3           16. Answering Defendants deny each and every allegation contained in paragraph number  
4 16 of the Complaint.

5           17.     In answering the allegations in paragraph 17, Answering Defendants incorporate by  
6 reference each and every admission and denial contained in paragraph 1-16 of Answering  
7 Defendant's answer.

8           18.     Answering Defendants admit each and every allegation contained in paragraph  
9 number 18 of the Complaint.

10          19.     Answering Defendants deny each and every allegation or statement contained in  
11 paragraph 19 of the Complaint.

12          20.     Answering Defendants deny each and every allegation or statement contained in  
13 paragraph 20 of the Complaint.

14          21.     Answering Defendants deny each and every allegation or statement contained in  
15 paragraph 21 of the Complaint.

16          22.     Answering Defendants deny each and every allegation or statement contained in  
17 paragraph 22 of the Complaint.

18          23.     Answering Defendants deny each and every allegation or statement contained in  
19 paragraph 23 of the Complaint.

20          24.     Answering Defendants deny each and every allegation or statement contained in  
21 paragraph 24 of the Complaint.

22          25.     Answering Defendants deny each and every allegation or statement contained in  
23 paragraph 25 of the Complaint.

24          26.     In answering the allegations in paragraph 26, Answering Defendants incorporate by  
25 reference each and every admission and denial contained in paragraph 1-25 of Answering  
26 Defendants' answer.

27          27.     In answering paragraph 27, Answering Defendants, admit that Tinian Dynasty was  
28 insured by a liability insurance policy issued by Defendant Century Insurance Co., Ltd. Except as

1 expressly admitted, Answering Defendants deny each and every allegation and statement contained  
2 in the paragraph 27.

3 28. Answering Defendants lack sufficient information to form a belief as to the truth of  
4 paragraph 28 of Plaintiff's Complaint and placing its denial on that ground, denies the allegations  
5 and each of them and requires strict proof thereof.

6 29. In answering the allegations in paragraph 29, Answering Defendants incorporate by  
7 reference each and every admission and denial contained in paragraph 1-28 of Answering  
8 Defendants' answer.

9 30. Answering Defendants deny each and every allegation or statement contained in  
10 paragraph 30 of the Complaint.

11 31. Answering Defendants deny each and every allegation or statement contained in  
12 paragraph 31 of the Complaint.

13 32. Answering Defendants deny each and every allegation or statement contained in  
14 paragraph 32 of the Complaint.

15 33. Answering Defendants deny each and every allegation or statement contained in  
16 paragraph 33 of the Complaint.

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18 **GENERAL DENIAL**

19 Except for those facts expressly admitted, Answering Defendants generally deny all  
20 allegations in the Complaint.

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22 **AFFIRMATIVE DEFENSES**

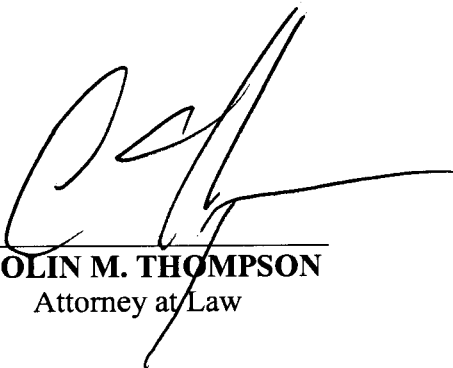
- 23 1. As a First Affirmative Defense, Plaintiffs fail to state a claim upon a relief can be  
24 granted.  
25 2. As a Second Affirmative Defense, Plaintiffs' claims are barred by Waiver.  
26 3. As a Third Affirmative Defense, Plaintiffs' claims are barred by Estoppel  
27 4. As a Fourth Affirmative Defense, Plaintiffs' claims are barred by Unclean Hands  
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- 1 5. As a Fifth Affirmative Defense, Plaintiffs' claims are barred by Laches
- 2 6. As a Sixth Affirmative Defense, Plaintiffs' claims are limited because Plaintiff has
- 3 not suffered damage or because of Plaintiff's failure to mitigate damages.
- 4 7. As a Seventh Affirmative Defense, Plaintiffs' alleged injuries and damages were
- 5 caused by their own negligent actions or omissions.
- 6 8. As an Eight Affirmative Defense, Plaintiffs' claims are bared or limited by the
- 7 doctrine of Comparative fault.
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10 **WHEREFORE, DEFENDANT PRAYS THAT:**

- 11 1. Plaintiff takes nothing by its complaint;
- 12 2. Answering Defendant be awarded costs of this action and reasonable attorneys fees;
- 13 3. For such further relief as the Court deems just and proper.
- 14
- 15

16 Dated this 29<sup>th</sup> day of August 2005

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20 **COLIN M. THOMPSON**  
21 Attorney at Law  
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